

Under the provisions of Section 413.031 of the Texas Workers' Compensation Act, Title 5, Subtitle A of the Texas Labor Code, effective June 17, 2001 and Commission Rule 133.305, titled Medical Dispute Resolution-General, and 133.307, titled Medical Dispute Resolution of a Medical Fee Dispute, a review was conducted by the Division regarding a medical fee dispute between the requestor and the respondent named above. This dispute was received on 5/13/03.

## **I. DISPUTE**

Whether there should be additional reimbursement for chronic pain management services – 97799-CP from 9/6/02 through 10/1/02 reduced based on fair and reasonable charges.

## **II. RATIONALE**

The disputed services have no MAR. Instead, per the Medical Fee Guideline, the MAR is based upon DOP (documentation of procedure). The EOBs furnished by the respondent indicate partial payment was made for every disputed service.

Rule 133.307 (g)(3)(D) requires the requestor to discuss, demonstrate, and justify that the payment amount being sought is fair and reasonable. Rule 133.307 (g)(3)(E) requires that any documentation containing confidential information regarding a person other than the injured employee for that claim or a party in the dispute must be redacted by the party submitting the documentation, to protect the confidential information and the privacy of the individual. Unredacted information shall not be considered in resolving the medical fee dispute.

The requestor furnished no such information to support that their charges should be considered fair and reasonable. Therefore, all services from 9/6/02 through 10/1/02 are not recommended for additional reimbursement.

## **III. DECISION & ORDER**

Based upon the review of the disputed healthcare services within this request, the Division has determined that the requestor **is not** entitled to reimbursement for 97799-CP.

The above Findings and Decision are hereby issued this 13<sup>th</sup> day of January 2004.

Noel L. Beavers  
Medical Dispute Resolution Officer  
Medical Review Division

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